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REMARKS

Reconsideration of the application as amended is requested.

Applicants note with appreciation the Examiner's indication that claims 10-22 are allowed, and that claims 3 and 8-9 contain allowable subject matter. Claims 3 and 8 have been rewritten in independent form including all of the limitations of the base claim and any intervening claims, and these claims are therefore now believed to be in condition for allowance.

The Office Action indicated that claims 1, 2 and 4-7 were rejected under 35 U.S.C. §102(b) as being anticipated by Kolb et al. U.S. Patent Application Publication No. 2005/0024174.

Claims 4 and 5 depend from claim 3. As noted above, claim 3 was indicated to be allowable if rewritten in independent form. Accordingly, Applicants are unsure why claims 4 and 5 were rejected. Applicants can only assume for purposes of the present response that claims 4 and 5 are allowable because they depend from claim 3.

Applicants assert that the rejection under 35 U.S.C. §102(b) based on Kolb '174 is improper and should be withdrawn. The present application was filed on January 22, 2004, well prior to the February 3, 2005 publication date of Kolb '174. Accordingly, Kolb '174 is not prior art under 35 U.S.C. §102(b).

Applicants further note that Kolb '174 discloses a permanent magnet 38 that is fixed relative to the housing. The magnet 38 remains in the same position regardless of whether the solenoid 32 is deenergized (Fig. 2) or energized (Fig. 3).

In contrast, the rod assembly of claim 1 includes a magnet, and the rod assembly moves between a rest position and an energized position. Thus, Kolb '174 cannot anticipate claim 1. Furthermore, Applicants assert that Kolb '174 does not teach or suggest modification to include the arrangement of claim 1. It is not at all clear that Kolb '174 could be modified, yet still operate in the intended manner. Substantial modifications of Kolb '174 would be required to provide the arrangement of claim 1, and Kolb '174 itself does not teach or suggest any such modifications.

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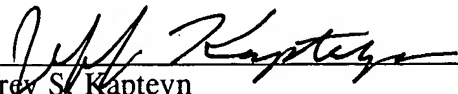
Claims 2, 6 and 7 depend from claim 1, and are therefore believed to be allowable for those reasons set forth above in connection with claim 1.

Applicants have made a concerted effort to the place the present application in condition for allowance, and a notice to this effect is earnestly solicited. In the event there are any remaining informalities, the courtesy of a telephone call to the undersigned attorney would be appreciated.

4/12/06
Date

JSK/cmu

Respectfully submitted,



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